

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -	X	
	:	<u>Under Seal</u>
UNITED STATES OF AMERICA	:	
-v.-	:	CONSENT PRELIMINARY ORDER OF
	:	FORFEITURE AS TO SPECIFIC
ELI KATZ,	:	<u>PROPERTY/MONEY JUDGMENT</u>
	:	
Defendant.	:	13 Cr. 328 (<u>CS</u>)
- - - - -	X	

WHEREAS, on or about May 1, 2013, ELI KATZ (the "Defendant") was charged in a two-count Information, 13 Cr. 328 (CS) (the "Information"), with tax evasion, in violation of Title 26, United States Code, Section 7201 (Count One); and mail fraud, in violation of Title 18, United States Code, Section 1341 (Count Two);

WHEREAS, the Information included a forfeiture allegation as to Count Two, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 982, of any property constituting, or derived from, proceeds obtained directly or indirectly as a result of such violation, including but not limited to a sum of money representing the amount of proceeds obtained as a result of the offense charged in Count Two of this information.

WHEREAS, on or about October 30, 2014, the Defendant pled guilty to Counts One and Two of the Information, pursuant to a plea agreement with the Government, wherein the Defendant

admitted the forfeiture allegation with respect to Count Two of the Information and agreed to forfeit to the United States a sum of money equal to \$3,800,417.46 in United States currency, representing the amount of proceeds obtained as a result of the offense charged in Count Two of the Information;

Whereas the Defendant has also agreed to forfeit to the United States Government all right, title and interest in the following specific property which was voluntarily surrendered by the defendant on October 29, 2014:

- (a) One gold colored men's Rolex watch;
- (b) One gold colored woman's Ebel watch; and
- (c) One 1kg gold brick stamped with the numeral
G290383;

(collectively, the "Specific Property");

WHEREAS, the Defendant consents to a money judgment in the amount of \$3,800,417.46 in United States currency and consents to the forfeiture of all his right, title, and interest in the Specific Property;

WHEREAS, pursuant to Title 21, United States Code, Section 853(g), and Rules 32.2(b)(3) and 32.2(b)(6) of the Federal Rules of Criminal Procedure, the Government is now entitled, pending any assertion of third-party claims, to reduce the Specific Property to its possession and to notify any person

who reasonably appears to be a potential claimant of its interest therein;

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Preet Bharara, United States Attorney, Assistant United States Attorney Douglas Bloom, of Counsel, and the Defendant, and his counsel, Kerry Lawrence, Esq. that:

1. As a result of the offense charged in Count Two of the Information, to which the Defendant pled guilty, a money judgment in the amount of \$3,800,417.46 in United States currency (the "Money Judgment") shall be entered against the Defendant.

2. As a result of the offense charged in Count Two of the Information, to which the Defendant pled guilty, all of the Defendant's right, title and interest in the Specific Property is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of Title 21, United States Code, Section 853.

3. Pursuant to Rule 32.2(b) (4) of the Federal Rules of Criminal Procedure, upon entry of this Consent Preliminary Order of Forfeiture as to Specific Property/Money Judgment, this Preliminary Order of Forfeiture as to Specific Property/Money Judgment is final as to the Defendant, ELI KATZ, and shall be

deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

4. Upon entry of this Consent Preliminary Order of Forfeiture as to Specific Property/Money Judgment, the United States Department of Treasury (or its designee) is authorized to seize the Specific Property and hold the Specific Property in its secure, custody and control.

5. Pursuant to Title 21, United States Code, Section 853(n)(1), Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure, and Rules G(4)(a)(iv)(C) and G(5)(a)(ii) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, the United States shall publish for at least thirty (30) consecutive days on the official government internet forfeiture site, www.forfeiture.gov, notice of this Preliminary Order of Forfeiture as to Specific Property/Money Judgment. Any person, other than the Defendant in this case, claiming an interest in the Specific Property must file a petition within sixty (60) days from the first day of publication of the notice on this official government internet site, or no later than thirty-five (35) days from the mailing of actual notice, whichever is earlier. Publication will be stayed while this case is under seal.

6. This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's

alleged interest in any of the Specific Property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title and interest in the Specific Property and any additional facts supporting the petitioner's claim and the relief sought, pursuant to Title 21, United States Code, Section 853(n).

7. Pursuant to Rule 32.2(b)(6)(A) of the Federal Rules of Criminal Procedure, the Government shall send notice to any person who reasonably appears to be a potential claimant with standing to contest the forfeiture in the ancillary proceeding.

8. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture with respect to the Specific Property pursuant to Title 21, United States Code, Section 853(n) and Rule 32.2(c)(2) of the Federal Rules of Criminal Procedure, in which all third-party interests will be addressed. Any and all net proceeds generated from sale of the Specific Property should be applied to the Defendant's Money Judgment.

9. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, upon entry of this Preliminary Order of Forfeiture as to Specific Property/Money Judgment, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property,

including depositions, interrogatories, requests for production of documents and the issuance of subpoenas, pursuant to Rule 45 of the Federal Rules of Civil Procedure.

10. All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable, in this instance to the United States Department of Treasury, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Asset Forfeiture Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the defendant's name and case number.

11. Upon execution of this Consent Preliminary Order of Forfeiture/Money Judgment, and pursuant to 21 U.S.C. § 853, the United States Department of Treasury (or its designee) shall be authorized to deposit the payments on the Money Judgment in the Treasury Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property

12. The Court shall retain jurisdiction to enforce this Preliminary Order of Forfeiture as to Specific Property, and to amend it as necessary, pursuant to Rule 32.2(e) of the Federal Rules of Criminal Procedure.

13. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but

all of which together will constitute one and the same instrument.

14. The Clerk of the Court shall forward three certified copies of this Preliminary Order of Forfeiture as to Specific Property to Assistant United States Attorney Sharon Cohen Levin, Chief of the Money Laundering and Asset Forfeiture Unit, One St. Andrew's Plaza, New York, New York 10007.

AGREED AND CONSENTED TO:

Acting
~~PREET BHARARA~~ *Matthew Bobbity*
United States Attorney for the
Southern District of New York
Attorney for Plaintiff

By: *DB*
~~DOUGLAS B. BLOOM~~ *David Markewitz*
Assistant United States Attorney
300 Quarropas Street
White Plains, NY 10601-4150
(914)993-1934

4/7/2025
DATE

ELI KATZ
DEFENDANT

By: *ELK*
ELI KATZ

Oct 30, 14
DATE

By: *KL*
KERRY LAWRENCE, ESQ.
Attorney for Defendant
81 Main Street, Suite 450
White Plains, New York 10601

10/10/14
DATE

SO ORDERED:

Cathy Seibel
HONORABLE CATHY SEIBEL
UNITED STATES DISTRICT JUDGE

4/7/25
DATE